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The Protection of Individual Rights in the Eu Law System. Law Provisions Direct Effect, Applicability of Law Sources

By Ginka Tchervenkova

Grin Verlag GmbH. Paperback. Condition: New. 32 pages. Dimensions: 8.5in. x 5.5in. x 0.1in. Essay from the year 2011 in the subject Law - European and International Law, Intellectual Properties, grade: -, University of Hamburg, language: English, abstract: The EU law is an independent law order. It is not a kind of international law, and it does not fall into the scope of the internal law of the EU Member States. It is to be applied by the EU Member-States on their territories as a separate legal system. Supremacy and direct effect represent the core principles of the EU law system. Direct effect is a characteristic related to the EU law provisions, and not to the EU law instruments and provisions sources. EU law provisions can produce a vertical direct effect as well as a horizontal direct effect. Provisions that can produce both a vertical and a horizontal direct effect are recognised as provisions with a full direct effect. The notions of immediate enforceability and direct effect, both implied by the definition of direct applicability as contained in the Art 249 EC, are to be clearly distinguished from each other. Direct applicability as synonymous with immediate enforceability is only to be...



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